

REMARKS

The method claims were successfully prosecuted to issuance in the parent application, U.S. Serial No. 09/875,970, which issued on September 23, 2003 as U.S. Patent No. 6,623,524. This is a continuation application directed to the claims covering the implant used in the patented method.

In the parent application, claims 20, 21, 22, 23, 25 and 26 (renumbered in the present continuation application as claims 10-15) were rejected over Pedlick, U.S. Patent No. 5,961,538 (Office Action mailed April 16, 2003). These claims have been amended to recite that the distal end of the implant is tapered.

In the parent application, the Examiner stated in the Office Action mailed on April 16, 2003 that Pedlick shows that the implant has a tapered distal end. However, in claim 10 of the present application, the distal end is defined as including "a transverse eye for receiving a flexible strand to draw said implant into an opening in bone." The "tapered" portion of the Pedlick anchor does not include a transverse eye, and Pedlick contains no suggestion or motivation for providing a "tapered distal end" with a transverse eye as presently claimed. Indeed, Pedlick specifically discloses at the bottom of column 8 that opening 5 is formed in "the body of the suture anchor," and not in the first abutment end 2 or the second abutment end 3.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance.

Application No.: Not Yet Assigned

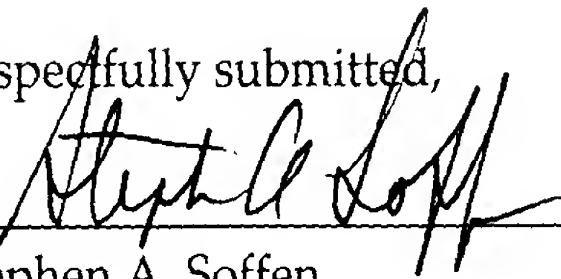
Docket No.: A8130.0028/P028-A

Accordingly, the Examiner is respectfully requested to pass this application to issue.

Dated: September 22, 2003

Respectfully submitted,

By



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